



CrI.O.P.No. 15872 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.05.2024 for the alleged offence under Sections 364 @ 147, 148, 302, 364 I.P.C. @ 147, 148, 302, 364, 120(B) I.P.C. @ 147, 148, 302, 364, 120(B), r/w 149 I.P.C. in Crime No. 111 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 07.03.2024, in view of previous assault by deceased and his friends, in which he sustained grievous injury and he was under medical surveillance, the petitioner along with other accused came by a car and intercepted the deceased and forcibly kidnapped him and committed murder of him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has been falsely implicated in this case as if he has also participated in the commission of murder of deceased. In fact, at the earliest point of time, he was attacked by the deceased and due to which, he sustained serious



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injuries, thereby he went to coma and he was under medical surveillance.

He would submit that he is no way connected with the case and he has not at all committed any offence as alleged by the respondent police and he was not present at the scene of occurrence. He would submit that the investigation is almost completed and he would abide by any condition that may be imposed by this court and he is in judicial custody from 15.05.2024 for more than 49 days. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is ranked as A1 and as he is having previous enmity of assault by the deceased, the petitioner along with other accused conspired and kidnapped him and brutally killed him by separating his head and neck. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence committed by the petitioner by separating head and neck of deceased and also the fact that investigation is still pending and if he is released on bail,



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there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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